

**AMENDMENT TO H.R. 4205, AS REPORTED**  
**OFFERED BY MR. STENHOLM OF TEXAS**

At the end of title VII (page 247, after line 9), insert the following new section:

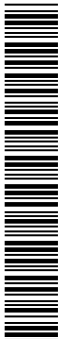
**1 SEC. 7\_\_\_\_. IMPROVEMENT OF ACCESS TO HEALTH CARE**  
**2 UNDER THE TRICARE PROGRAM.**

**3 (a) WAIVER OF NONAVAILABILITY STATEMENT OR**  
**4 PREAUTHORIZATION.**—In the case of a covered beneficiary  
**5** under chapter 55 of title 10, United States Code, who is  
**6** enrolled in TRICARE Standard, the Secretary of Defense  
**7** may not require with regard to authorized health care  
**8** services (other than mental health services) under any new  
**9** contract for the provision of health care services under  
**10** such chapter that the beneficiary—

**11 (1) obtain a nonavailability statement or**  
**12 preauthorization from a military medical treatment**  
**13 facility in order to receive the services from a civilian**  
**14 provider; or**

**15 (2) obtain a nonavailability statement for care**  
**16 in specialized treatment facilities outside the 200-**  
**17 mile radius of a military medical treatment facility.**

**18 (b) NOTICE.**—The Secretary may require that the  
**19** covered beneficiary inform the primary care manager of



1 the beneficiary of any health care received from a civilian  
2 provider or in a specialized treatment facility.

3 (c) EXCEPTIONS.—Subsection (a) shall not apply if—

4 (1) the Secretary demonstrates significant cost  
5 avoidance for specific procedures at the affected  
6 military medical treatment facilities;

7 (2) the Secretary determines that a specific  
8 procedure must be maintained at the affected mili-  
9 tary medical treatment facility to ensure the pro-  
10 ficiency levels of the practitioners at the facility; or

11 (3) the lack of nonavailability statement data  
12 would significantly interfere with TRICARE con-  
13 tract administration.

14 (d) EFFECTIVE DATE—This section shall take effect  
15 on October 1, 2001.

